

Brodia N. Minter (OR Bar #164414)
Klamath Siskiyou Wildlands Center
PO Box 102
Ashland, Oregon
Tel: 541-488-5789
Email: Brodia@kswild.org

Plaintiff's Attorney

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION**

KLAMATH SISKIYOU WILDLANDS CENTER,
an Oregon non-profit corporation,

Plaintiff,

v.

**UNITED STATES DEPARTMENT OF INTERIOR,
BUREAU OF LAND MANAGEMENT**
an agency of the United States of America,

Defendant.

Civil Action No.: 1:19-cv-00526

**STIPULATION AND PROPOSED
ORDER TO VOLUNTARILY
DISMISS WITHOUT PREJUDICE**

1. Plaintiff, Klamath Siskiyou Wildlands Center ("KS Wild"), submit this stipulation and proposed order voluntarily dismissing without prejudice the above captioned case.
2. On Friday June 7, 2019 counsel for the Defendants informed the Plaintiffs that the timber sale at issue in this case was being withdrawn, and that the BLM issued a notice on that date, stating that the Grants Pass Field Office of the Medford BLM decided to withdraw the Big Graves Timber Sale decision notice dated June 7, 2019. No activities implementing the Big Graves Timber Sale will be undertaken unless and until further NEPA documentation is prepared and new decision is issued. This notice is attached as Exhibit A.

3. Because the Defendants have withdrawn the challenged underlying agency decision, the parties hereby stipulate to voluntarily dismiss without prejudice this action, pursuant to FED. R. CIV. P. 41(a)(1)(A)(ii). Each party shall bear their own fees and costs, including all attorney fees. Although it appears that no Court action is required, a proposed order granting the requested relief is provided.
4. Respectfully submitted and dated this June 12, 2019

IT IS SO STIPULATED.

For Plaintiffs:

/s/ Brodia N. Minter

BRODIA N. MINTER, Staff Attorney
Klamath Siskiyou Wildlands Center
PO Box 102
Ashland, Oregon
Tel: 541-488-5789
Email: Brodia@kswild.org

For Defendants:

JEAN E. WILLIAMS
Deputy Assistant Attorney General
Environment & Natural Resources Division

/s/ Caitlin Cipicchio
CAITLIN CIPICCHIO, Trial Attorney
United States Department of Justice
Environment & Natural Resources Division
Natural Resources Section
PO Box 7611
Washington, D.C. 20044-7611
Tel: (202) 305-0503
Fax: (202) 305-0506
Email: caitlin.cipicchio@usdoj.gov

~~Proposed~~ Order

Upon consideration of the above Stipulation, it is hereby ORDERED that, for good cause shown, this matter is hereby voluntarily dismissed without prejudice. Each party shall bear their own fees and costs, including all attorney fees.

IT IS SO ORDERED.

Dated: 06/19/19

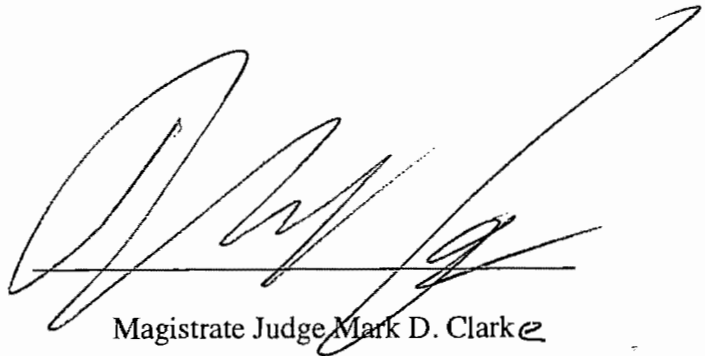

Magistrate Judge Mark D. Clark

EXHIBIT A**Notice of Withdrawal of Decision**

This notice is to inform the public that the BLM is withdrawing the December 27, 2018, Big Graves Salvage Timber Sale Decision. The BLM offered the sale at oral auction on February 28, 2019, at the Grants Pass Field Office. The BLM did not receive any bids at the auction. The BLM then extended the bid period for 60 days. The BLM did not receive any bids during the sealed bid period. BLM made further inquiries with log buyers to assess interest in the sale. Based on the results of BLM's inquiries with log buyers, the oral auction, and the sealed bid period, the BLM has determined the Big Graves Salvage Timber sale is unlikely to be purchased, and has therefore withdrawn the decision to sell this sale.